



Form PTO-1449

Sheet 1 of 10

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A1.	3,602,502	8/31/71	Hampl
_____ A2.	4,112,928	9/12/78	Putsch
_____ A3.	4,151,988	5/1/79	Nabinger
_____ A4.	4,358,105	11/9/82	Sweeney, Jr.
_____ A5.	4,544,152	10/1/85	Taitel
_____ A6.	4,549,044	10/22/85	Durham
_____ A7.	4,571,682	2/18/86	Silverman, et al.
_____ A8.	4,659,074	4/21/87	Taitel, et al.
_____ A9.	4,642,769	2/10/87	Petrofsky
_____ A10.	4,687,195	8/18/87	Potts
_____ A11.	4,828,257	5/9/89	Dyer, et al.
_____ A12.	4,842,266	6/27/89	Sweeney, Sr., et al.
_____ A13.	4,848,737	7/18/89	Ehrenfield
_____ A14.	4,860,763	8/29/89	Schminke
_____ A15.	4,927,136	5/22/90	Leask

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A16.	4,938,474	07/03/90	Sweeney et al.
_____ A17.	4,949,993	08/21/90	Stark et al.
_____ A18.	4,959,713	9/25/90	Morotomi, et al.
_____ A19.	5,054,774	10/8/91	Belsito
_____ A20.	5,078,152	1/7/92	Bond, et al.
_____ A21.	5,086,385	2/4/92	Launey, et al.
_____ A22.	5,113,427	5/12/92	Ryoichi, et al.
_____ A23.	5,145,475	9/8/92	Cares
_____ A24.	5,195,935	3/23/93	Fencel
_____ A25.	5,308,296	5/3/94	Eckstein
_____ A26.	5,313,942	5/24/94	Platzker
_____ A27.	5,314,391	5/24/94	Potash, et al.
_____ A28.	D348,493	7/5/94	Ashby
_____ A29.	5,328,420	7/12/94	Allen
_____ A30.	5,328,422	7/12/94	Nichols
_____ A31.	5,352,166	10/4/94	Chang
_____ A32.	5,382,209	1/17/95	Pasier, et al.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A33.	5,387,164	2/7/95	Brown, Jr.
_____ A34.	5,410,471	4/25/95	Alyfuku, et al.
_____ A35.	5,410,472	4/25/95	Anderson
_____ A36.	5,433,679	7/18/95	Szymczak, et al.
_____ A37.	5,462,051	10/31/95	Oka, et al.
_____ A38.	5,462,504	10/31/95	Trulaske, et al.
_____ A39.	5,466,200	11/14/95	Ulrich, et al.
_____ A40.	5,474,090	12/12/95	Begun, et al.
_____ A41.	5,512,025	4/30/96	Dalebout, et al.
_____ A42.	5,535,664	7/16/96	Rokowski
_____ A43.	5,591,104	1/7/97	Andrus, et al.
_____ A44.	5,600,310	2/4/97	Whipple, III, et al.
_____ A45.	5,619,412	4/8/97	Hapka
_____ A46.	5,619,991	4/15/97	Sloane
_____ A47.	5,626,539	5/6/97	Piaget, et al.
_____ A48.	5,645,509	7/8/97	Brewer, et al.
_____ A49.	5,697,834	12/16/97	Heumann, et al.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A50.	5,702,323	12/30/97	Poulton
_____ A51.	5,720,771	2/24/98	Snell
_____ A52.	5,722,418	3/3/98	Bro
_____ A53.	5,738,612	4/14/98	Tsuda
_____ A54.	5,743,833	4/28/98	Watterson, et al.
_____ A55.	5,749,372	5/12/98	Allen, et al.
_____ A56.	5,752,897	5/19/98	Skowronski, et al.
_____ A57.	5,759,199	6/2/98	Snell, et al.
_____ A58.	5,779,596	7/14/98	Weber
_____ A59.	5,785,630	07/28/98	Bobick et al.
_____ A60.	5,810,696	9/22/98	Webb
_____ A61.	5,845,230	12/1/98	Lamberson
_____ A62.	5,857,939	1/12/99	Kaufman
_____ A63.	5,865,733	2/2/99	Malinouskas, et al.
_____ A64.	5,873,369	2/23/99	Lanaido, et al.
_____ A65.	5,880,677	3/9/99	Lestician

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Sheet 5 of 10

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A66.	5,890,995	4/6/99	Bobick, et al
_____ A67.	5,911,132	6/8/99	Sloane
_____ A68.	5,911,687	6/15/99	Sato, et al.
_____ A69.	5,917,405	6/29/99	Joao
_____ A70.	5,929,748	7/27/99	Odinak
_____ A71.	5,929,782	7/27/99	Stark
_____ A72.	5,931,763	8/3/99	Alessandri
_____ A73.	5,947,869	9/7/99	Shea
_____ A74.	5,961,561	10/5/99	Wakefield, II
_____ A75.	5,964,701	10/12/99	Asada, et al.
_____ A76.	5,967,975	10/19/99	Ridgeway
_____ A77.	5,995,868	11/30/99	Dorfmeister, et al.
_____ A78.	6,010,451	1/4/00	Clawson
_____ A79.	6,013,007	1/11/00	Root, et al.
_____ A80.	6,033,344	3/7/00	Trulaske, et al.
_____ A81.	6,042,519	3/28/00	Shea
_____ A82.	6,050,822	4/18/00	Faughn

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
 Serial No.: 10/773,617  
 Filing Date: February 6, 2004  
 Confirmation No.: 7761  
 For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
 Group: 3764

---

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A83.	6,053,737	4/25/00	Babbitt, et al.
_____ A84.	6,053,844	4/25/00	Clem
_____ A85.	6,059,692	5/9/00	Hickman
_____ A86.	6,132,337	10/17/00	Krupka, et al.
_____ A87.	6,152,854	11/28/00	Carmein
_____ A88.	6,162,189	12/19/00	Girone et al.
_____ A89.	6,171,218	1/9/01	Shea
_____ A90.	6,193,631	2/27/01	Hickman
_____ A91.	6,211,451	4/3/01	Tohgi, et al.
_____ A92.	6,231,481	5/15/01	Brock
_____ A93.	6,231,482	5/15/01	Thompson
_____ A94.	6,244,988	06/12/01	Delman
_____ A95.	6,251,048	6/26/01	Kaufman
_____ A96.	6,312,363	11/6/01	Watterson, et al.
_____ A97.	6,358,187	3/19/02	Smith
_____ A98.	6,450,922	09/17/02	Henderson et al.
_____ A99.	6,458,060	10/1/02	Watterson, et al.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Sheet 7 of 10

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A100.	6,464,618	10/15/02	Shea
_____ A101.	6,475,115	11/5/02	Candito, et al.
_____ A102.	6,582,342	6/24/03	Kaufman, et al.
_____ A103.	6,585,622	07/01/03	Shum et al.
_____ A104.	6,634,992	10/21/03	Ogawa
_____ A105.	6,638,198	10/28/03	Shea
_____ A106.	6,736,759	05/18/04	Stubbs et al.
_____ A107.	6,749,537	06/15/04	Hickman
_____ A108.	6,808,472	10/26/04	Hickman

#### Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
_____ A109.	WO 98/32496	7/30/98	PCT	

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

Other Documents

(including author, title, pertinent pages, etc.)

Examiner  
Initial\*

- \_\_\_\_\_ A110. *The FitLinxx Interactive Fitness Network™*, Integrated Fitness Corp., brochure, 1998.
- \_\_\_\_\_ A111. *Fitlinxx Interactive Fitness Network™, The Difference Between Surviving and Thriving May be as Simple as FitLinxx™*, Integrated Fitness Corp., brochure, 1998.
- \_\_\_\_\_ A112. *Forbes.com: Sweat equity*, www.forbes.com, February 1998.
- \_\_\_\_\_ A113. *Netpulse, Networkingout--Coming Distractions: Netpulse Helps Exercisers Surf the Net at the Gym, Accomplish Several Goals at Once*, www.netpulse.com, April 1998.
- \_\_\_\_\_ A114. *Netpulse, Instead of having an equipment repair technician traveling over hill and dale, you may soon have equipment repaired via the internet*, www.netpulse.com, July 1998.
- \_\_\_\_\_ A115. *Netpulse, Infotech is supposed to make life easier-remember? Here's how to be sure it does.*, www.netpulse.com, August 1998.
- \_\_\_\_\_ A116. *Netpulse, Exercise station connects to the Net, Now you can sweat to the Net.*, www.netpulse.com, September 1998.
- \_\_\_\_\_ A117. *Netpulse, New Fitness Equipment Combines Internet, Sweat, Now you can surf and sweat*, www.netpulse.com, January 1999.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

- 
- \_\_\_\_\_ A118. Netpulse, Hop In, Log On and Sweat, *Netpulse exercise machines are the latest Web feat*, [www.netpulse.com](http://www.netpulse.com), February 1999.
- \_\_\_\_\_ A119. Netpulse ClubWatch™, *Internet Powered Service*, brochure, April 1999.
- \_\_\_\_\_ A120. Netpulse, *State of the Art*, [www.netpulse.com](http://www.netpulse.com), February 2000.
- \_\_\_\_\_ A121. Netpulse, *Netpulse Files for Patents on its Pioneering Technology Inventions and Groundbreaking Business Methods in the Media and Fitness Markets*, [www.netpulse.com](http://www.netpulse.com), May 2000.
- \_\_\_\_\_ A122. Forbes, Digital Tool: Startups, *Sweat.equity*, [www.forbes.com](http://www.forbes.com), June 2000.
- \_\_\_\_\_ A123. *Exergaming*, [en.wikipedia.org](http://en.wikipedia.org), printed October 1, 2007 (4 pages).
- \_\_\_\_\_ A124. *WIRED*, [www.wired.com](http://www.wired.com), issue 2.09, September 1994 (4 pages).
- \_\_\_\_\_ A125. "Defendant's Amended Invalidity Contentions," Case No. 2:05-cv-527, signed by Kirk Harris on March 16, 2007 (15 pages).
- \_\_\_\_\_ A126. "Expert Report of Dr. Brent Nelson Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B)," dated March 13, 2007 (372 pages).

#### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

---

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.